

Applicant : Peter S. Ebert  
Serial No. : 10/697,253  
Filed : October 31, 2003  
Page : 9 of 11

Attorney's Docket No.: 13909-125001 / 2003P00496  
US

### REMARKS

Claims 1-48 are pending and rejected. Claims 49-51 are newly added. No new matter has been added. Applicant respectfully traverses the rejections and requests reconsideration in view of the amendments to the claims and the following remarks.

Claims 1-33 and 41-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brooks et al. (US 2004/0113912) in view of Fushimi et al. (US 2004/0070624). Claims 34-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brooks et al. (US 2004/0113912) in view of Fushimi et al. (US 2004/0070624) and further in view of Slotznick (6,011,537).

Claim 1 calls for generating a smart radar chart graphical user interface, wherein data corresponding to a data dimension is displayed at a position indicating a value of the data in relation to a reference value, wherein the reference value comprises an average value of measured data corresponding to a data dimension.

Brooks describes a multi-dimensional display for representing variables of a process. The display shows the acceptable range (UL-LL) for each process variable and the current value of (Q) of the variable. The displays allows for detection of the existence of an alarm condition in which the current value lies outside of the range defined for it (Abstract).

To the extent that the multi-dimensional display in Brooks could be considered to be a smart radar chart graphical interface, the multi-dimensional display fails to include a reference value that comprises an average value of measured data corresponding to a data dimension.

For the limitation that the reference value comprises an average value, the examiner cites to paragraph [63] of Brooks. The applicant respectfully submits that the cited paragraph fails to disclose or suggest a reference value that is an average value. The cited paragraph reads in pertinent part:

Referring to FIG. 9, polygonal lines UL and LL show the current upper and lower limits respectively on the variables...Where a variable is outside its limits a caret appears at the violated limit...

The cited paragraph describes reference values corresponding to upper and lower limits. The cited paragraph fails to describe a reference value corresponding to an average value.

Applicant : Peter S. Ebert  
Serial No. : 10/697,253  
Filed : October 31, 2003  
Page : 10 of 11

Attorney's Docket No.: 13909-125001 / 2003P00496  
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Nowhere else in Brooks is there mention of a reference value corresponding to an average value. Fushimi and Slotznick also fail to disclose or suggest a reference value corresponding to an average value. In fact, the term "average" does not appear anywhere in Fushimi, Slotznick, or Brooks.

Because Fushimi, Slotznick and Brooks all fail to disclose a reference value corresponding to an average value, the combination of these references fails to render obvious claim 1. The remaining claims each contains a similar limitation and thus, are also not rendered obvious by Fushimi, Slotznick and Brooks.

In addition, claims 49-51 each contains the additional limitation that positive exceptions are displayed in a different color from negative exceptions. None of the cited references, separately or in combination, disclose or suggest displaying positive exceptions in a different color from negative exceptions. Thus, claims 49-51 are not rendered obvious for this additional reason.

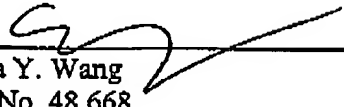
Applicant : Peter S. Ebert  
Serial No. : 10/697,253  
Filed : October 31, 2003  
Page : 11 of 11

Attorney's Docket No.: 13909-125001 / 2003P00496  
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Respectfully submitted,

Date: 6-10-05

  
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